


JUN 28 2006

ROBERT H. SHEMMELL, CLERK
BY  DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

JACKSON C. JONES

CIVIL ACTION NO. 05-1632

versus

JUDGE STAGG

MIKE STAYNER, ET AL.

MAGISTRATE JUDGE HORNSBY

ORDER


For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, including the written objections filed, and concurring with the findings of the Magistrate Judge under the applicable law;

IT IS ORDERED that the **Exception for Vagueness, Ambiguity, Lack of Subject Matter Jurisdiction, Res Judicata and Prescription (Doc. 12)**, considered as a motion for summary judgment, is **granted in part** as follows: Plaintiff's claims for workers' compensation benefits are dismissed for lack of jurisdiction, Plaintiff's claims for LHWCA benefits are dismissed for lack of jurisdiction, all of Plaintiff's claims for damages or benefits under maritime law based on his alleged status as a seaman are dismissed, any due process claim based on the September 2001 termination is dismissed, all claims based on HIPAA or tort (invasion of privacy) arising from the alleged disclosure of medical records are dismissed, and all claims against Joe Lunt and Ross Montelbano are dismissed without prejudice pursuant to F.R.C.P. 4(m).

IT IS FURTHER ORDERED that the exception/motion is **denied in all other respects.**

THUS DONE AND SIGNED at Shreveport, Louisiana, the 27th day of

June, 2006.


TOM STAGG
UNITED STATES DISTRICT JUDGE